



# Washington State Department of Agriculture News Release

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## **WSDA issues fines for pesticide-use violations for 4th Quarter**

**OLYMPIA** – The Washington State Department of Agriculture (WSDA) issued fines totaling \$3,800 and imposed license suspensions during the fourth quarter of 2011 for violations of state pesticide laws and rules. Fines ranged from \$450 to \$1,200 for incidents that occurred in Benton, Douglas, Grant and Skagit counties.

Among the concluded cases were incidents involving pesticide drift onto a vineyard causing plant damage, not following a pesticides' label directions in wearing the appropriate personal protective equipment, and spray drifting from an orchard onto a passing school bus. WSDA completed investigations and issued fines or license suspensions as follows:

Gene Welton, East Wenatchee. WSDA alleged that in June 2010, Gene Welton, East Wenatchee, improperly applied pesticides. Welton agreed to pay \$500 but did not admit fault in the matter.

Milo Ellis, CHS, Royal City. WSDA alleged that in May 2010, a herbicide application made by Ellis to a timothy hay field in Grant County drifted onto an adjacent vineyard causing damage. The matter was resolved when Ellis agreed to pay \$450 and accept a seven-day suspension of his commercial pesticide operator license this upcoming May.

Greg Knutzen, Burlington-Edison High School, Burlington. WSDA alleged that in April 2011, a rooting hormone pesticide was applied to plant cuttings at the high school's greenhouse. A review of records found that students applying the product were not wearing chemical-resistant or waterproof gloves as called for in label directions. The matter was resolved when Knutzen agreed to pay \$450.

While conducting inspections at farms for compliance with Worker Protection Standards (WPS) for pesticides, WSDA staff found common problem areas which involved: pesticide application information not being posted for some applications, clean change of clothing and eye wash not provided at the pesticide mix-load site, handlers not provided with an emergency pint of eye wash, employer not ensuring the handler wears gloves when needed, not having respirator filter cartridges changed at the appropriate times, failing to provide adequate decontamination supplies for early-entry employees, and WPS warning signs were not taken down in a timely manner. Fines related to WPS inspections conducted last May and June were issued to:

- Ed Webster, Rothrock Farms Inc., Prosser, \$1,200.
- Brian Alegria, Zag Orchards LLC, Warden, \$1,200.

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**Penalty matrix used by WSDA to levy fines and suspensions**

A penalty matrix is used to ensure penalties are uniform and fair. The matrix takes into account the seriousness of the violation, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Larger penalties often reflect repeat offenses or multiple violations within the same incident.

WSDA enforces state and federal laws to protect people, property and the environment against the improper use of pesticides. Staff also provides technical assistance to the pesticide industry and consumers, and enforces the rules on structural inspections for wood destroying organisms, such as wood rot, carpenter ants or termites. The agency registers 12,000 pesticide products and licenses 22,000 pesticide applicators, dealers, consultants and structural pest inspectors.

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